

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** 03-

v. : **DATE FILED:** _____

DAVID KENDRICK	:	VIOLATIONS: 18 U.S.C. § 371
a/k/a “Dawood,”		(Conspiracy – 1 Count);
LATCHMAN JOSEPH, and	:	18 U.S.C. § 2113(d)
ULANDA SMITH	:	(Armed Bank Robbery - 1
	:	Count); 18 U.S.C. § 924(c)(1)
	:	(Using and Carrying a Firearm
	:	during a Crime of Violence - 1
	:	Count); 18 U.S.C. § 2
	:	(Aiding and Abetting);
	:	18 U.S.C. § 922(g)(1)
	:	(Possession of a Firearm and
	:	Ammunition by a Convicted
	:	Felon - 1 Count)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. The National Penn (“the Bank”), located at 9 West Evergreen Avenue, Philadelphia, Pennsylvania, is a bank, the deposits of which were insured by the Federal Deposit Insurance Corporation (“FDIC”).

2. From on or about October 7, 2002 through on or about October 14, 2002,

at Philadelphia, in the Eastern District of Pennsylvania, defendants

DAVID KENDRICK,
a/k/a "Dawood,"
LATCHMAN JOSEPH
and
ULANDA SMITH

conspired and agreed together to commit an offense against the United States, that is, to knowingly and unlawfully, by force and violence, and by intimidation, take from an FDIC insured bank, lawful currency of the United States, in violation of Title 18, United States Code, Section 2113(d), that is, the armed robbery of the National Penn Bank located at 9 West Evergreen Avenue, Philadelphia, Pennsylvania.

MANNER AND MEANS

It was part of the conspiracy that:

2. Defendants DAVID KENDRICK, LATCHMAN JOSEPH, and ULANDA SMITH agreed to rob the Bank at gunpoint.

3. Defendant ULANDA SMITH went inside the Bank in advance of the robbery to case the Bank so she could describe its interior to her codefendants.

4. Defendants DAVID KENDRICK and LATCHMAN JOSEPH agreed to wear masks in order to disguise their identity and prevent witnesses and law enforcement from identifying them.

5. Defendant ULANDA SMITH agreed to wait outside in her car while defendants DAVID KENDRICK and LATCHMAN JOSEPH robbed the Bank and defendant ULANDA SMITH agreed to drive the getaway car from the Bank in order for all defendants to successfully escape.

OVERT ACTS

In furtherance of the conspiracy, and to accomplish its object, the following overt acts, among others, were performed in the Eastern District of Pennsylvania:

On or about October 10, 2002:

1. Defendants DAVID KENDRICK, LATCHMAN JOSEPH, and ULANDA SMITH drove in the area of 9 West Evergreen Avenue, Philadelphia, Pennsylvania to survey the area and to view the Bank in order to determine if it would make a good robbery target.

2. At the direction of defendant DAVID KENDRICK, defendant ULANDA SMITH entered the Bank located at 9 West Evergreen Avenue, Philadelphia, Pennsylvania in order to check the security and to determine if the Bank had bulletproof glass.

On or about October 14, 2002:

3. Defendant ULANDA SMITH drove defendants DAVID KENDRICK and LATCHMAN JOSEPH in her Taurus sedan to the Bank located at 9 West Evergreen Avenue, Philadelphia, Pennsylvania, circling the block several times in order to check if it was clear to rob the Bank.

4. Defendant ULANDA SMITH parked her car around the corner from the Bank and then walked on foot around the Bank to again check the Bank.

5. Defendants DAVID KENDRICK and LATCHMAN JOSEPH entered the Bank, each brandishing a loaded semi-automatic pistol.

6. Defendant ULANDA SMITH returned to her Taurus sedan to wait for defendants DAVID KENDRICK and LATCHMAN JOSEPH to rob the Bank at gunpoint.

7. Defendant DAVID KENDRICK vaulted the Bank's teller counter and

demanded that the tellers give him money.

8. Defendant DAVID KENDRICK took money and other items from the teller stations and put them in a bag.

9. Defendant LATCHMAN JOSEPH guarded the doorway at gunpoint while defendant DAVID KENDRICK took money and other items from the teller stations and put it in a bag.

10. Defendant DAVID KENDRICK took United States currency totaling approximately \$62,679 belonging to the Bank and left the Bank, together with defendant LATCHMAN JOSEPH.

11. Defendants DAVID KENDRICK and LATCHMAN JOSEPH ran to the waiting Taurus sedan driven by defendant ULANDA SMITH.

12. Defendant ULANDA SMITH drove away at a high rate of speed.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 14, 2002, at Philadelphia, in the Eastern District of
Pennsylvania, defendants

DAVID KENDRICK,
a/k/a "Dawood,"
LATCHMAN JOSEPH
and
ULANDA SMITH

knowingly and unlawfully, by force and violence, and by intimidation, took, and aided and abetted the taking, from employees of the National Penn Bank located at 9 West Evergreen Avenue, Philadelphia, Pennsylvania, money, that is, approximately \$62,679 in United States currency, belonging to, and in the care, custody, control, management, and possession of the National Penn Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, and, in so doing, defendants DAVID KENDRICK, LATCHMAN JOSEPH, and ULANDA SMITH knowingly and unlawfully assaulted and put in jeopardy the lives of, and aided and abetted the assaulting and putting in jeopardy the lives of, the employees of the National Penn Bank, and other persons, by use of a dangerous weapon, that is, semi-automatic pistols, an Astra .40 caliber semi-automatic pistol, serial number 18209-95A, and a Cobray-11 9 mm. semi-automatic pistol, serial number 89-0006532.

In violation of Title 18, United States Code, Sections 2113(d) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 14, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendants

DAVID KENDRICK,
a/k/a "Dawood," and
LATCHMAN JOSEPH

knowingly used and carried, and aided and abetted the use and carrying of a firearm, that is, an Astra .40 caliber semi-automatic pistol, serial number 18209-95A, loaded with seven rounds of .40 caliber ammunition, and a Cobray-11 9 mm. semi-automatic pistol, serial number 89-0006532, loaded with twenty-five rounds of 9 mm. ammunition, during and in relation to a crime of violence for which they may be prosecuted in a Court of the United States, that is, conspiracy to commit armed bank robbery as charged in Count One of this Indictment, and armed bank robbery as charged in Count Two of this Indictment.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 14, 2002, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

DAVID KENDRICK,
a/k/a "Dawood,"

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce, a firearm, that is, an Astra .40 caliber semi-automatic pistol, serial number 18209-95A, loaded with seven rounds of .40 caliber ammunition, a Stoeger Arms Luger .22 caliber semi-automatic pistol, serial number 63477, and a Taurus .357 magnum revolver, serial number L1668716, loaded with six rounds of .357 caliber ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE

1. As a result of the violation of Title 18, United States Code, Section 924(c)(1), set forth in Count Three of this Indictment, defendants

DAVID KENDRICK,
a/k/a "Dawood,"
LATCHMAN JOSEPH
and
ULANDA SMITH

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of this offense, including, but not limited to:

- (m) An Astra .40 caliber semi-automatic pistol, serial number 18209-95A,
loaded with seven rounds of .40 caliber ammunition; and
- (n) A Cobray M-11 9 mm. semi-automatic pistol, serial number 89-0006532,
loaded with twenty-five rounds of 9 mm. ammunition .

2. As a result of the violation of Title 18, United States Code, Section 922(g)(1), set forth in Count Four of this Indictment, defendant

DAVID KENDRICK,
a/k/a "Dawood,"

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of this offense, including, but not limited to:

- (c) a Stoeger Arms Luger .22 caliber semi-automatic pistol, serial number 63477; and

(d) a Taurus .357 magnum revolver, serial number L1668716, loaded with six rounds of .357 caliber ammunition.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Sections 924(d) and 981(a)(1)(C).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney